

PATENT

Attorney Docket No. A-52864-14/RBC/VEJ  
Attorney Matter No. 463678-00222  
Application No. 10/668,780



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Daniel LUCH**

Application No. **10/668,780**

Filed: **September 22, 2003**

For: **SNAP-ON, SCREW-OFF CAP AND  
CONTAINER NECK**

Art Unit: **Prior: 3727**

Examiner: **Prior: Stephen K. Cronin**

Docket No.: **A-52864-14/RBC/VEJ**

*Certificate of Mail (37 C.F.R. § 1.8(a))*

*I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 12-18-03.*

*Patricia A. Diehl*  
Patricia A. Diehl

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the

information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.

This Application relies on the earlier filing date of prior Application Nos. 09/746,882 filed December 22, 2000, 09/356,063 filed July 19, 1999 and now U.S. Patent No. 6,173,853, 09/071,625 filed May 1, 1998 and now U.S. Patent No. 5,975,321, 08/781,453 filed January 10, 1997 and now U.S. Patent 5,755,348, 08/456,741 filed June 1, 1995, 08/029,177 filed March 10, 1993 and now U.S. Patent 5,456,376, 07/830,133 filed January 31, 1992 and now U.S. Patent 5,267,661, 07/772,945 filed October 8, 1991 and now U.S. Patent 5,213,224, and 07/565,638 filed August 9, 1990 and now U.S. Patent 5,190,178, under 35 U.S.C. § 120. It is understood that the Examiner will consider information that was submitted to or cited by the Office in such prior applications. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2). Copies of documents previously submitted to or cited by the Office in the prior application are not required to be provided in this application and thus are not attached. 37 C.F.R. § 1.98(d).

A copy of each reference cited on the accompanying substitute for form PTO-1449A/PTO was submitted to or cited by the Office in the above-mentioned applications, thus a copy of such references is not required nor is attached.

PATENT

Attorney Docket No. A-52864-14/RBC/VEJ  
Attorney Matter No. 463678-00222  
Application No. 10/668,780

As all non-English language document(s) were cited or submitted in a prior application relied on under 35 U.S.C. § 120, a concise explanation of the relevance thereof is not required and thus is not provided in this application.

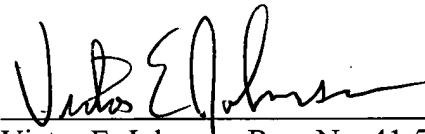
The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Matter No. 463678-00222; Docket No. A-52864-14/RBC/VEJ).

Respectfully submitted,

Date:

12/18/2003

By:



Victor E. Johnson, Reg. No. 41,546  
/for/ Robert B. Chickering, Reg. No. 24,286  
Filed Under 37 C.F.R. § 1.34(a)

DORSEY & WHITNEY LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989 Facsimile: (415) 398-3249



<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	<b>10/668,780</b>	
			Filing Date	<b>September 22, 2003</b>	
			First Named Inventor	<b>Daniel LUCH</b>	
			Group Art Unit	<b>Prior: 3727</b>	
			Examiner Name	<b>Prior: Stephen K. Cronin</b>	
Sheet	<b>1</b>	of	<b>4</b>	Attorney Docket Number	<b>A-52864-14/RBC/VEJ</b>

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	1,630,687	05-31-1927	Aulbach	
	A2	2,181,340	11-28-1939	Plumb	
	A3	3,022,917	02-27-1962	Montgomery	
	A4	3,181,725	05-04-1965	Fiedl	
	A5	3,223,269	12-14-1965	Williams	
	A6	3,695,475	10-03-1972	Ruekberg	
	A7	3,837,518	09-24-1974	Gach	
	A8	3,844,443	10-29-1974	Cudzik	
	A9	3,874,540	04-01-1975	Hidding	
	A10	3,885,696	05-27-1975	Eberhardt	
	A11	3,901,403	08-26-1975	Menke	
	A12	3,901,404	08-26-1975	Feldman	
	A13	3,902,621	09-02-1975	Hidding	
	A14	3,980,195	09-14-1976	Fillmore	
	A15	3,997,077	12-14-1976	Mill <i>et al.</i>	
	A16	4,057,160	11-08-1977	Victor <i>et al.</i>	
	A17	4,078,700	03-14-1978	Hidding	
	A18	4,177,906	12-11-1979	Von Hagel	
	A19	4,180,175	12-25-1979	Virog, Jr. <i>et al.</i>	
	A20	4,241,841	12-30-1980	Boller	
	A21	4,269,320	05-26-1981	Virog, Jr. <i>et al.</i>	
	A22	4,298,129	11-03-1981	Stull	
	A23	4,299,330	11-10-1981	Walter	
	A24	4,301,937	11-24-1981	Von Hagel	
	A25	4,354,609	10-19-1982	Hidding	
	A26	4,385,708	05-31-1983	Curry	
	A27	4,399,926	08-23-1983	Eidels-Dubovoy	
	A28	4,402,415	09-06-1983	Hopley	
	A29	4,448,319	05-15-1984	Kern	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/668,780
Filing Date	September 22, 2003
First Named Inventor	Daniel LUCH
Group Art Unit	Prior: 3727
Examiner Name	Prior: Stephen K. Cronin
Attorney Docket Number	A-52864-14/RBC/VEJ

Sheet 2 of 4

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A30	4,484,687	11-27-1984	Bullock, III	
	A31	4,489,843	12-25-1984	Drozd, Jr.	
	A32	4,494,664	01-22-1985	Guala	
	A33	4,496,066	01-29-1985	Bullock, III	
	A34	4,498,597	02-12-1985	Bashour	
	A35	4,530,437	07-23-1985	Gray <i>et al.</i>	
	A36	4,534,479	08-13-1985	Conti	
	A37	4,534,480	08-13-1985	Santostasi <i>et al.</i>	
	A38	4,540,102	09-10-1985	Wiedmer	
	A39	4,548,329	10-22-1985	Curry	
	A40	4,561,553	12-31-1985	Crisci	
	A41	4,562,930	01-07-1986	Lecinski, Jr. <i>et al.</i>	
	A42	4,567,992	02-04-1986	Davis	
	A43	4,593,830	06-10-1986	Bullock	
	A44	4,609,115	09-02-1986	Moore <i>et al.</i>	
	A45	4,625,875	12-02-1986	Carr <i>et al.</i>	
	A46	4,699,285	10-13-1987	Perne, <i>et al.</i>	
	A47	4,700,860	10-20-1987	Li	
	A48	4,739,891	04-26-1988	Bullock, III	
	A49	4,744,478	05-17-1988	Hahn	
	A50	4,784,296	11-15-1988	Bullock	
	A51	4,796,770	01-10-1989	Begley	
	A52	4,815,617	03-28-1989	Cullum	
	A53	4,828,128	05-09-1989	Tackles	
	A54	4,844,250	07-04-1989	Holoubek <i>et al.</i>	
	A55	4,848,613	07-18-1989	Nofer	
	A56	4,911,316	03-27-1990	Tackles	
	A57	4,930,647	06-05-1990	Dutt <i>et al.</i>	

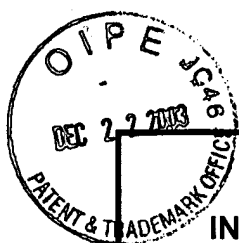
Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(1126414)



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/668,780
Filing Date	September 22, 2003
First Named Inventor	Dani I LUCH
Group Art Unit	Prior: 3727
Examiner Name	Prior: Stephen K. Cronin
Attorney Docket Number	A-52864-14/RBC/VEJ

Sheet **3** of **4****U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A58	4,934,546	06-19-1990	Markley	
	A59	4,946,055	08-07-1990	Towns <i>et al.</i>	
	A60	4,981,230	01-01-1991	Marshall <i>et al.</i>	
	A61	4,989,740	02-05-1991	Vercillo	
	A62	5,020,683	06-04-1991	Strassheimer	
	A63	5,027,964	07-02-1991	Banich, Sr.	
	A64	5,050,754	09-24-1991	Marino	
	A65	5,105,960	04/21/1992	CRISCI <i>et al.</i>	
	A66	5,129,530	07-14-1992	Fuchs	
	A67	5,147,060	09-15-1992	Lima <i>et al.</i>	
	A68	5,152,416	10-06-1992	Cassel	
	A69	5,176,270	01-05-1993	Battagazzore	
	A70	5,190,178	03-02-1993	Luch	
	A71	5,213,224	05-25-1993	Luch	
	A72	5,224,616	07-06-1993	Crisci	
	A73	5,267,661	12-07-1993	Luch <i>et al.</i>	
	A74	5,285,912	02-15-1994	Molinaro	
	A75	5,307,945	05/03/1994	HIDDING <i>et al.</i>	
	A76	5,307,946	05-03-1994	Molinaro	
	A77	5,385,252	01-31-1995	Hidding <i>et al.</i>	
	A78	5,415,306	05-16-1995	Luch <i>et al.</i>	
	A79	5,480,045	01-02-1996	Molinaro <i>et al.</i>	
	A80	5,560,504	10-01-1996	Molinaro	
	A81	5,593,055	01-14-1997	Repp <i>et al.</i>	
	A82	5,630,520	05-20-1997	Luch <i>et al.</i>	
	A83	5,687,866	11-18-1997	Luch <i>et al.</i>	
	A84	5,690,243	11-25-1997	Molinaro	
	A85	5,775,528	07-07-1998	Wohlgemuth <i>et al.</i>	

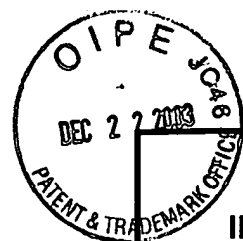
Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(1126414)



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/668,780
Filing Date	September 22, 2003
First Named Inventor	Daniel LUCH
Group Art Unit	Prior: 3727
Examiner Name	Prior: Stephen K. Cronin
Attorney Docket Number	A-52864-14/RBC/VEJ

Sheet **4** of **4****FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	A86	CA 812,597	05-13-1969	Healy		
	A87	DE 1,154,369	09-12-1963	Fischbach		
	A88	DE 2,356,007	05-22-1974	Wright		
	A89	EP 0,118,267	10-15-1986	Miskin		
	A90	GB 2,105,693	03-30-1983	Hopley		
	A91	GB 2,114,553	08-24-1983	Guala		
	A92	GB 2,264,108	08-18-1993	King		
	A93	GB 2,265,892	10-13-1993	Luch <i>et al.</i>		

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(1126414)